

## **REMARKS/ARGUMENTS**

### **1.) Claim Amendments**

The Applicant has amended claims 28-29 and 34-36; claims 1-4, 6-7, 9-13, 15-16, 18-20, 22, 24-25, 27, 30, and 37-42 have been canceled without prejudice; and claims 43-45 have been added. Accordingly, claims 28-29, 34-36 and 43-45 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

### **2.) Claim Rejections – 35 U.S.C. § 103 (a)**

The Examiner rejected claims 1-4, 6-7, 9-13, 15-16, 18-20, 22, 24-25, 27-30, 34-36, and 39-42 under 35 U.S.C. § 103(a) as being unpatentable over Moore et al. (U.S. Publication No. 2005/0022810) in view of Koslow (U.S. 4,548,730). Any and all references to Moore will be based on provisional application number 06/477452 which has a filing date of June 9, 2003. The Publication No. 2005/0022810 has a filing date of June 9, 2004 and contains additional material not found in provisional application number 06/477452. Thus, Publication No. 2005/0022810 can only be used as a 102(e) reference with respect to the matter contained in provisional application number 06/477452.

In order to expedite allowance of this application, the Applicant has canceled claims 1-4, 6-7, 9-13, 15-16, 18-20, 22, 24-25, 27, 30, and 39-42 without prejudice. Therefore, this rejection with respect to these claims is deemed to be moot.

### **Claims 28-29:**

The Applicant has amended claim 28 to better define the intended scope of the claimed invention. The Examiner's consideration of the amended claims is respectfully requested.

It is not believed that the combination of Moore and Koslow discloses, teaches or suggests all of the elements of the amended claim 28. Specifically, Moore and Koslow does not disclose, teach or suggest the steps of: adding a catalyst from a group consisting an iron compound, iron oxide, a copper compound, and copper oxide; adding

a heat absorbing compound comprising a combination of a manganese compound and sodium-based compound, varying the amount of humidity in the oxygen flow in the humidifier; varying the amount of temperature of the oxygen flow in the humidifier; and generating an aqueous solution of soda ash in the compartment. Koslow also does not disclose, teach or suggest the sequence of the steps of “dissolving a limiting reactant of water soluble powder to the compartment after adding the water” and “dissolving a catalyst to the compartment after dissolving the limiting reactant.” The device in Moore mixes in a random fashion depending on how a bag is squeezed. Thus, it is not believed that either Koslow nor Moore teaches this sequence of steps.

Support for these elements may be found through the specification and originally filed claims, including page 6, lines 14-16; page 7, lines 3-9; and page 5, line 10. Consequently, the Applicant believes that the amended claim 28 is distinguishable over the cited references.

Claim 29 depends from amended claim 28 and recites further limitations in combination with the novel elements of claim 28. Therefore, the allowance of claim 28 is also respectfully requested.

### **Claims 34-36:**

The Applicant has amended claim 34 to better define the intended scope of the claimed invention. The Examiner’s consideration of the amended claims is respectfully requested.

It is not believed that the combination of Moore and Koslow discloses, teaches or suggests all of the elements of the amended claim 34. Specifically, Moore and Koslow do not disclose, teach or suggest the use of a sealed vessel having walls of varying thickness to withstand the pressure of a chemical reaction. Moore teaches the use of a flexible vessel which deforms under the pressure of a chemical reaction. Additionally, Moore and Koslow do not teach the use of a catalyst from a group consisting an iron compound, iron oxide, a copper compound, and copper oxide. Support for these elements may be found through the specification and originally filed claims, including page 8, line 24; page 4, lines 13-24; and page 6, lines 14-16. Consequently, the

Applicant believes that the amended claim 34 is distinguishable over the cited references.

Claims 35-36 depend from amended claim 34 and recite further limitations in combination with the novel elements of claim 34. Therefore, the allowance of claims 35-36 is also respectfully requested.

The Examiner rejected claims 5, 14, 23, 31-33, 37 and 38 under 35 U.S.C. § 103(a) as being unpatentable over Moore et al. (U.S. Publication No. 2005/0022810) in view of Ueno U.S. patent No. 4,683,130. In order to expedite allowance of this application, the Applicant has canceled claims 5, 14, 23, 31-33, 37 and 38 without prejudice. Therefore, this rejection with respect to these claims is deemed to be moot.

Support for the new claims 43 through 45 may be found throughout the specification and the originally filed claims, including page 8, line 24; page 4, lines 13-24; page 6, lines 14-16, and Figs. 2 through 4.

**CONCLUSION**

In view of the foregoing remarks, the Applicant believes that all of the claims currently pending in the Application are in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

/Bill R. Naifeh/

Bill R. Naifeh  
Registration No. 44,962

**Bill R. Naifeh**  
**Attorney at Law**  
12665 N. Central Expressway  
Suite 1014  
Dallas, TX 75243  
(Tel.) 972-726-9500  
(Fax.) 214-692-9959